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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,584	12/28/2001	Samuel Kho	25216-0881	2323
29989	7590	09/10/2004	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP 1600 WILLOW STREET SAN JOSE, CA 95125			ALI, RASEL M	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/040,584

Applicant(s)

KHO, SAMUEL

Examiner

Rasel Ali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

(three)

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 through 34 rejected under 35 U.S.C. 102(b) as being anticipated by Pogue (PalmPilot: The Ultimate Guide, ISBN: 1-56592-600-0);
3. As per independent claim 1, Pogue teaches a handheld computer comprising:
  - a housing (chapter 1, page 1, line 4-7);
  - a display accessible on a panel of the housing (chapter 1, page 1, line 6-7);
  - a processor coupled to the display, the processor being configured to:
    - detect an input corresponding to a menu request (chapter 1, page 4, line 4-5);
    - activate the first menu on the display in response to the menu request, the activated a first menu displaying a menu bar and one or more menu items (chapter 1, page 4, line 4-5, *menu bar and menu items are shown on figure 1.4*);
    - process navigation input to navigate to the menu bar of the active first menu, including navigation input to cause the menu bar of the active first menu to be selectable (chapter 1, page 4, line 4-11);
    - process selection input when the menu bar is selectable (chapter 1, page 4, line 4-5); and

cancel activation of the first menu from the display in response to the menu bar of that menu being selected by the selection input (chapter 1, page 4, line 8-11).

4. As per claim 2, which is a dependent on claim 1, Pogue teaches the processor is configured to process navigation input to navigate vertically to the menu bar from one of the one or more menu items in the active first menu (chapter 1, page 3, line 2-4 and chapter 2, page 3, line 16-19).

5. As per claim 3, which is a dependent on claim 1, Pogue teaches the processor is configured to execute an application that makes only the first menu available while a corresponding page of the application is being displayed on the display, and to process a lateral navigation input while the first menu is active in order to cancel the first menu from being active (chapter 1, page 4, line 4-11).

6. As per claim 4, which is a dependent on claim 1, Pogue teaches the processor is configured to process navigation input to navigate laterally from the first menu in order to make the second menu active instead of the first menu, and wherein the processor is configured to automatically make a menu bar of the second menu selectable in response to the second menu being activated by the lateral navigation input (chapter 1, page 4, line 8).

7. As per claim 5, which is a dependent on claim 4, Pogue teaches the processor is configured to process navigation input to cause the menu bar of the second menu item to be selected immediately upon the second menu being made active in response to the lateral navigation input, and wherein the processor is configured to cancel activation of

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the second menu from the display in response to the second menu being selected by the selection input (chapter1, page 4, line 8-11).

8. As per claim 6, which is dependent on claim 1, Pogue teaches the processor is configured to process the navigation input to make the menu bar highlighted for selection by the selection input (chapter 4, page 18, line 13-15).

9. As per claim 7, which is dependent on claim 1, Pogue teaches the processor is configured to process navigation input to navigate from one of the one or more menu items of the first menu to the menu bar in order to make the menu bar selectable (chapter 4, page 18, line 25-28, see figure 4.15).

10. As per claim 8, which is dependent on claim 1, Pogue teaches one or more user-interactive features on the first panel of the housing, each of the user-interactive features being actuatable to cause the selection input to be entered (chapter 1, page 1, line 16-18 and line 20-21; and chapter 3, page2, line 11-12).

11. As per claim 9, which dependent on claim 1, Pogue teaches one or more user-interactive features on the first panel of the housing, each of the user-interactive features being actuatable to cause the navigation input to be entered (chapter 1, page 1, line 23-27, page 2, line 2-4 and line 7-10; and page 5 line 5-7).

12. As per claim 10, which is dependent on claim 1, Pogue teaches the processor is configured to process navigation input from actuation of one or more user-interactive features, the navigation input being processed by the processor to navigate to and make the menu bar selectable, wherein the processor is configured to navigate laterally from the first menu to a second menu in response to the actuation of the one or more

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user-interactive features corresponding to a lateral navigation input, and to make the menu bar of the active second menu bar selectable upon navigating to the second menu (chapter 1, page 4, line 4-6 and 8-9).

13. As per claim 11, which is dependent on claim 10, Pogue teaches the processor is configured to process selection input when the menu bar of the second menu is made selectable in order to select that menu bar and cause cancellation of the second menu being active (chapter 1, page 4, line 9-11).

14 As per claim 12, which is dependent on claim 1, Pogue teaches further comprising one or more user-interactive features on the first panel of the housing, wherein actuation of the one or more user-interactive features causes discrete inputs to be processed by the processor, wherein the processor is configured to process navigation input corresponding to actuation of one or more of the plurality of user-interactive features to navigate to the menu bar vertically from one of the menu items in the first menu in response to receiving a series of one or more discrete input from operation of the one or more user-interactive features (chapter 1, page1, line 23-25, page 2, line13-15, page 3, line 3-4; and page 3, line 20 through page 4 line1-3).

15. As per claim 13, which is dependent on claim 12, Pogue teaches the series of discrete inputs correspond to a series of button presses (chapter 1, page 3, line 3-4 and page 4, line 3).

16. As per claim 14, which is dependent on claim 12, Pogue teaches the series of discrete inputs correspond to a series of button pressed from a multi-directional button mechanism (chapter 2, page 2, line 10-13).

17 As per claim 15, which is dependent on claim 1, Pogue teaches the processor navigates to the menu bar by highlighting the menu bar (chapter 3, section 3.7 The PalmPilot as Word Processor, page 1, line 12-13 and line 19; Chapter 4, page 18, line 13, and page 18, line 25-28, *also see figure 4.15*).

18. As per claim 16, which is dependent on claim 1, Pogue teaches further comprising one or more user-interactive features on the first panel of the housing, the one or more user-interactive features being actuatable to cause navigation input to be processed by the processor, wherein a direction in which the processor navigates the menu bar is determined by a user selectively actuating the one or more user-interactive features (chapter 1, page 2, line 7-9, page 3, line 20 through page 4, line 3 and page 4, line 3).

19. As per claim 17, which is dependent on claim 1, Pogue teaches processor is configured to perform an action in response to one of the menu items of the first menu being selected (chapter1, page4, line 8-10, and line 23-24).

20. As per claim 18, which is dependent on claim 1, Pogue teaches further comprising one or more user-interactive features on the first panel of the housing, the one or more user-interactive features being actuatable to cause navigation input to be processed by the processor, and wherein the one or more user-interactive features including a multi-directional mechanical feature (chapter 1, page 2, line 7-9 and page 3, line 20 through page 4, line 3) and (chapter 2, page 2, line 10-13 and line 30 and page 9, line 5-7).

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21. As per claim 19, which is dependent on claim 18, Pogue teaches the multi-directional mechanical feature is selected from a group of user-interactive features consisting of a joy stick, a joy pad, and a set of scroll button (chapter 2, page 9, line 6-9) and (chapter 1, page 2, line 13-16 and line 18-21).

22. As per claim 20, which is dependent on claim 1, Pogue teaches the plurality of user-interactive features include a set of application buttons (chapter 1, page 2, line 18-21).

23. As per claim 21, which is dependent on claim 1, Pogue teaches further comprising one or more user-interactive features on the first panel of the housing, the one or more user-interactive features being actuatable to cause navigation input to be processed by the processor, and wherein the one or more user-interactive features include virtual features that appear on the display and which are selectable through contact with the display (chapter 1, page 1, line 20-21; line 16-17 and line 13-14) and (chapter 2, page 1, line 20-21).

24. As per independent claim 22, Pogue teaches a handheld computer comprising:  
a housing; (chapter 1, page 1, line 5-7);

a display accessible on a panel of the housing; (chapter 1, page 1, line 6-7 and line 13-14);

a set of actuatable mechanisms provided on the housing; (chapter 1, page 1, line 20-27);

a processor coupled to the display and to the plurality of actuatable mechanisms, the processor being configured to:



associate an application to each actuatable mechanism so that, in response to one of the actuatable mechanisms being actuated, the processor is configured to execute the application assigned to that actuatable mechanism (chapter 1, page 2, line 2-6 and line 15-16; *the next three pages explains the functions of applications, menu, calculator, and find*) and (chapter 1, page 1, line 13-15);

detect an input corresponding to a menu request (chapter 1, page 2, line 2-3);

in response to detecting the input corresponding to the menu request, assign a menu function to each actuatable mechanism in the set of actuatable mechanisms (chapter 1, page 2, line 8-11 and page 5, line 5-7) and (chapter 2, page 3, line 12-15 page 6, line 9-11);

display one or more menu items that are active in response to the menu request, each of the one or more sets of menu items being displayed as a portion of the menu having a menu bar (chapter 1, page 4, line 8-11);

while the one or more sets of menu items are active, process input corresponding to actuation of any one of the actuatable mechanisms as the menu function assigned to the actuated actuatable mechanism; (chapter 1, page 3, line 20 through page 4, line1-3).

25. As per claim 23, which is dependent on claim 22, Pogue teaches the menu function assigned to one or more of the actuatable mechanisms corresponds to navigation input (chapter 1, page 3, line 20 through page 4 line1-3 and line 2-10).

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26. As per claim 24, which is dependent on claim 22, Pogue teaches the menu function assigned to each of the actuatable mechanisms corresponds to one of the menu functions selected from the group of menu functions consisting of navigation input, selection input to select a navigation, and selection input to select cancellation of the one or more active sets of menu items (chapter 1, page 4, line 8-11).

27. As per claim 25, which is dependent on claim 22, Pogue teaches the application associated with each actuatable mechanism is different for each actuatable mechanism (chapter 1, page 1, line 25).

28. As per claim 26, which is dependent on claim 22, Pogue teaches the actuatable mechanisms are buttons (chapter 1, page 1, line 23-27).

29. As per claim 27, which is dependent on claim 23, Pogue teaches actuatable mechanisms in the set of actuatable mechanisms are each assigned an individual menu function corresponding to navigating menu items in one of either a lateral direction or a vertical direction (chapter 1, page 4, line 4-11).

30. As per claim 28, which is dependent on claim 24, Pogue teaches at least one of the actuatable mechanisms in the set of actuatable mechanisms is assigned a menu function for selecting a selectable menu item (chapter 2, page 3, line 12-15 and page 6, line 10-11).

31. As per claim 29, which is dependent on claim 23, Pogue teaches the handheld computer is operable in a sleep mode, and wherein the processor is configured to launch an application associated in response to one of the actuatable mechanisms

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associated with that application being actuated when the handheld computer is in the sleep mode (chapter 1, page 1, line 25-27 and line 13).

32. As per claim 30, which is dependent on claim 24, Pogue teaches the processor is configured to display a menu bar with each of the one or more sets of menu items in response to receiving the menu request, and wherein the processor is configured to cancel activation of the one or more sets of menu items in response to selection input for canceling the one or more active sets of menu items (chapter 1, page 2, line 4-11).

33. As per independent claim 31, Pogue teaches a handheld computer comprising:

a housing; (chapter 1, page 1, line 4-7); and

a display accessible on a panel of the housing; (chapter 1, page 1, line 6-7);

a processor coupled to the display, the processor being configured to:

detect an input corresponding to menu request; (chapter 1, page 4, line 4-5);

activate a first menu on the display in response to the menu request (chapter 1, page 4, line 4-5); and

process lateral navigation input to cancel activation of the first menu; (chapter 1, page 4, line 8-11).

34. As per claim 32, which is dependent on claim 31, Pogue teaches the processor processes lateral navigation input to cancel activation of the menu if only the first menu is available to be active for a page being displayed on the handheld computer (chapter 2, page 2, line 13-16).

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35. As per claim 33, which is dependent on claim 33, Pogue teaches the processor is configured to activate the first menu by displaying a menu bar and one or more menu items (chapter 1, page 4, line 4-5).

36. As per claim 34, which is dependent on claim 33, Pogue teaches the processor is configured to process vertical navigation input to make the menu bar selectable, and to process selection input to cancel activation of first menu when the menu bar is made selectable (chapter 2, page 2, line 12-16).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dahl (US. # 5,798,759) teaches method and apparatus for mobile device screen reformatting.

Kang et al. (US. # 5,949,408) teaches dual orientation display handheld computer devices.

Dow et At. (US. # 6,160,926) teaches appliance and method for menu navigation.

Bodnar et al. (US. # 6,310,634) teaches user interface methodology supporting light data entry for microprocessor device having limited user input.

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***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasel Ali whose telephone number is **703-305-0469**.

The examiner can normally be reached on 8:00- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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08/30/2004